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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,931	01/26/2001	John H. Schneider	00.05.12.1	8223

7590 07/03/2002  
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EXAMINER

YU, GINA C

ART UNIT PAPER NUMBER

1617

DATE MAILED: 07/03/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/770,931

January 26, 2001

LARAMAY, Steven B.

00, 05, 12, 1

EXAMINER

Yu, Gina C.

ART UNIT

PAPER

1617

4


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Commissioner of Patents and Trademarks

The amendment filed on April 15, 2002 is not fully responsive to the election of species requirement set forth in the previous office action dated March 7, 2002. In order to be entitled to reconsideration or further examination, the applicant must reply to the office action. See 37 CFR 1.111 (B). The applicant's reply must appear throughout to be a bona fide attempt to advance the application. A complete reply to an election requirement requires that applicants must elect, even when requirement is traversed. See MPEP § 818. In this case, applicants were required elect a single "second material"; a single "first chemical composition"; and single "utility of the first chemical composition"; and a single "cross linking agent" among the recited species in the original claims. The amendment filed on April 15, 2002 is not considered as a complete reply to the election requirement because applicant still presents Markush-type claims in claims 17, 19, 20, and 22, of which each encompasses unrelated and diverse species and requires unduly extensive and burdensome search. Applicant is still required to elect a single "second material"; a single "first chemical composition"; and a single "cross linking agent". If applicant disagrees with the requirement for election, the applicant must specifically point out the reasons on which he or she bases his or her conclusions that a requirement to restrict is in error. See 37 CFR 1.111.

Applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

  
RUSSELL TRAVERS  
PRIMARY EXAMINER  
GROUP 1200